

# PATENT COOPERATION TREATY

To:

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# PCT

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing (day/month/year)	9 June 2005 (09.06.2005)
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Applicant's or agent's file reference  
**BZ04-86WOIC**

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
**PCT/KR 2004/003175**

International filing date (day/month/year)  
**3 December 2004 (03.12.2004)**

Priority Date (day/month/year)  
**5 December 2003 (05.12.2003)**

International Patent Classification (IPC) or both national classification and IPC  
**H04B 7/26, H04L 1/18, 12/26, H04Q 7/30, H04L 12/56**

Applicant

**LG ELECTRONICS INC.**

1. This opinion contains indications relating to the following items:

- ☒ Cont. No. I Basis of the opinion
- ☐ Cont. No. II Priority
- ☐ Cont. No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Cont. No. IV Lack of unity of invention
- ☒ Cont. No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Cont. No. VI Certain documents cited
- ☐ Cont. No. VII Certain defects in the international application
- ☐ Cont. No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1 bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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**Continuation No. I**

**10/580246**

**Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of  
the international application in the language in which it was filed.

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**Continuation No. V**

**Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step  
or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims 1-9	YES
	Claims ----	NO
Inventive step (IS)	Claims 1-9	YES
	Claims ----	NO
Industrial applicability (IA)	Claims 1-9	YES
	Claims ----	NO

**2. Citations and explanations:**

The subject matter of the documents cited in the search report refer to different methods of controlling reverse data rate transmission in a mobile communication system. None of said documents discloses a method of controlling a reverse data rate by a mobile station of a mobile communication system supporting a H-ARQ system comprising the new steps with respect to the contents of the grant message as recited in claim 1 of the present application.

Thus the subject matter of claim 1 meets the requirements of novelty and inventive step.

The subject matter of claims 2 to 9 can be considered to be novel and inventive by virtue of dependency.

Industrial applicability is given for all claims.

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